



## **SPECIAL COMMON COUNCIL MEETING**

**April 2, 2012**

**6 P.M.**

### **Regular Meeting**

The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, April 2, 2012 at 6 p.m.

### **Present**

Mayor Daniel T. Drew, Council Members Thomas J. Serra, Ronald P. Klattenberg, Gerald E. Daley, Robert Santangelo, Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, Hope Kasper and Deborah Kleckowski; Corporation Counsel Daniel B. Ryan, Sergeant-at-arms Acting Chief William McKenna, and Acting Common Council Clerk Linda DeSena.

### **Absent**

Council Member Mary A. Bartolotta.

### **Also Present**

Public Works Director Bill Russo, Finance Director Carl Erlacher, Director of IT William Oliver, Personnel Director Debra Milardo, Planning, Conservation, and Development Director William Warner, City and Town Clerk Sandra Driska, Water and Sewer Director Guy Russo, Parking Director Geen Thazhampallath, Acting City Attorney Timothy Lynch, Acting Chief of Police William McKenna, Park and Recreation Director Raymond Santostefano, Russell Library Arthur Meyers, Youth Services Director Justin Carbonella, Director of Health Joseph Havlicek, Tax Assessor Damon Braasch, Deputy Fire Chief Robert Kronenberger, Director of Communications Wayne Bartolotta, Joseph Samolis Administrative Aide to the Mayor and 4 members of the public.

### **Meeting Called to Order**

The Chair calls the meeting to order at 6:04 p.m. and Arthur Meyers leads the public in the pledge of Allegiance.

### **Call of Meeting Read**

The Call of the meeting is read and accepted. The Deputy Mayor declares this call a legal call and the meeting a legal meeting.

### **Workshop Opens**

The Chair opens Questions to Directors workshop at 6:10 p.m.

Councilman Serra states the meeting will be telecast and the total Council decided to do that for continuity so the public can see the answers of the directors to the Council and they are predicated their votes on answers from the directors.

The Chair asks if there are questions for the Russell Library Director, Art Meyers. There are none.

The Chair calls on Councilman Bibisi and he asks for Bill Warner, Director of PCD. Councilman Bibisi asks on the bid waiver for \$10,000, it is an excellent price and asks him to explain it to the Council. Mr. Warner states the demolition for Portland Street was over \$30,000 and for the City for this location, he has a State grant to abate asbestos and lead and the demolition is \$10,000 and they are doing it in conjunction with the Community Health Center who is taking down a building on an adjacent site and they are taking down both sites at the same time. There is state and Federal money in this project. They will clean it with Federal money and they bought it with State money.

Councilwoman Kasper asks about the resolutions involving the economic fund and asks the balance. Mr. Warner responds before tonight it is \$65,000 and it is a revolving fund and it replenishes itself. Councilman Bibisi asks Mr. Warner about the money put aside for the demolition of the Capital Theater do we have it. Mr. Warner responds he was not involved. The Chair states it is set to go back into the general fund. Councilman Bibisi states they are looking at 34 Portland Street to demolish it. Mr. Warner states it is not appropriate for demolition to come from Economic Development fund; they can get money for the environmental, but not demolition. They can find funds for the environment study.

Councilman Klattenberg asks on agenda item 11-14 authorizing the Mayor to coordinate an agreement with the U. S. Army corps of Engineers for Mile Lane and the fiscal impact states a specific number of over \$2 million. Has anyone put a plan together. Mr. Warner responds yes there was a plan and the Army gave us the money to do the study and an architectural firm put a price on what we are talking about, the training school, fire house, central communications. You can get State funding for the training and fire house and it is 100%. Councilman Klattenberg asks it is the dispatch center and the \$2 million is related to that. Mr. Warner responds yes, and emergency

operations. The Chair states part of the plan is a new EOC there. Councilman Klattenberg states it was done by Arca Associates. Mr. Warner responds there was a committee that did the study and the plan was done a couple of years ago for a public conveyance. Councilman Klattenberg states he hopes he was not on the committee. Mr. Warner replies the Department of Army has a long list of property to dispose of and the Mayor got them to move it up. Councilman Klattenberg states it is on the agenda because the Mayor worked to do this. Mr. Warner responds in order to get the fire training school we need the property. We meet with the commissioner of DEEP with the road blocks the Army is encountering with the State DEEP. The Chair states he wanted it on the agenda is because we got sponsorship from FEMA the applicable sponsor and having the resolution in place will make the process faster.

Councilman Serra asks for quick explanation of what the Connecticut River valley Council of Government is. Mr. Warner responds he will pass to Geoffrey Colgrove and Mark Walter because they have been working on this for a number of years. Mark Walter put together the packet. Mark Walter, Selectman from Haddam, states it is a defensive maneuver and a group of 17 towns who work well together as CREPA and Midstate. The focus is to create 17 councils of government down to 8. OPM agreed if any regional planning organizations merged voluntarily, they would be left alone for 20 years. It requires 11 of the 17 towns to have an affirmative vote and we have 8 towns right now. Councilman Serra asks about the cost. Mr. Walter states you are paying a per capita fee of \$.66 per capita and the other towns in CREPA pay \$2; for one year, the fee would not change. In the future, your fee may come up a little and ours would go down a little. Councilman Serra states we went from 8 towns in Midstate. He states the next budget it might be a little more. Mr. Colgrove states that is under discussion, how to pay for that. It will be up to the 17 CEOs to decide the budget and they are still looking at that. They will establish the dues for July 1 2013. We are trying to get the COG established. More towns are scheduled to take action before June 30. From that point, there is a transition period to determine what is appropriate for the new organization and will be decided for the next fiscal year. The amounts for the next 12 months will remain the same. Regional council of officials have decided to keep the budget the same. He would assume they would try to mitigate any charges to Middletown and equalize the charges to the towns. They would relocate ½ way between the two regional planning areas. He and one person in his staff will not move to the new organization and they will decide on the directorship. He points out about a Bill that has come up that gives OPM additional time to give its report for the realignment of regions. There is a hold harmless provision if two contiguous planning councils form before the report date; those will be protected and we need 14 towns and then we will be held harmless.

The Chair asks Councilwoman Kleckowski asks if she has questions to this director. She asks about the representation currently, will it increase or decrease and will it be different people. Mr. Warner responds each chief elected office will be on this. Councilwoman Kleckowski asks if Planning and Zoning is aware of this. Mr. Warner states yes, they are aware of it and the issue becomes moot if it passes. Mr. Walter states it was voted in 2011. Mr. Warner reiterates with eleven towns it becomes effective.

Councilwoman Kasper states this agreement we have it costs the same for this year and may change and is there something in the agreement that requires it or the averaging. Mr. Walter states you are merging two organizations and hopes it reduces the total operating cost to the entire organization. The CREPA group, theirs will come down and the question is would there be a change to Midstate and there are different ways to handle the billing and it might be if you want something, you can buy in. Councilwoman Kasper states we do have the right to not renew our membership. Mr. Walter responds it is your right to be part of this COG or another one. It is for transportation funding. Mr. Colgrove states it is complicated.

**Noted for the Record**

Councilman Pessina takes his seat at 6:29 p.m.

Mr. Colgrove states the formulation of the Council of Governments, the second phase is the estuary and it will require another set of votes before the legislative bodies to merge the metropolitan planning organization and that is where regional planning State funds come from and it is a different vote than the COG. That process will happen in the fall. Right now in regional planning organizations, transportation is the largest source of funding from the State. Our source of income has been reduced by the State but because of the federal requirements, we still receive a good sum. We ask for sufficient funds to match our obligations; we don't ask for additional funds for contract programs. There is provision under COGs for a regional planning commission and we assume some of the people from both will be

part of the planning commission and they won't have votes on transportation. They will be doing regional conservation and reviewing grant applications. It is the intent to go forward with the two bodies.

**Noted for the Record**

Councilman Faulkner takes his seat at 6:32 p.m.

Councilman Santangelo asks if we chose not to join your group, we have the privilege of joining another one. Mr. Colgrove responds it would require OPM to redistrict the area. It is a contiguous area. Councilman Santangelo states the comment you made. . . Mr. Colgrove states you are not required to be a member, but you are in the region and if you are not a member, you don't have a vote.

Councilman Berch is recognized and states no questions for this director. He asks for the Director of Park and Recreation. Raymond Santostefano comes forward. Councilman Berch states can you explain 11-2 with regard to the Edger. Mr. Santostefano states the edger is 30 years old and keeps breaking down. There was some confusion about this at Finance and Government. The snow making machine already existed and they are moving the funds into that line item. Councilman Berch asks if there is money in the top dresser line item. Mr. Santostefano responds it was purchased and we are purchasing the Edge Right II and it is necessary to cut the paths and they will try to keep the other one running as well.

Councilman Klattenberg asks to speak to Director Milardo, Personnel. He states there are two resolutions 11-5 and 11-6 and 11-5 refers to nonbargaining including an administrative assistant to the Mayor and 11-6 deals with administrative assistant to Mayor. Ms Milardo responds the Charter's language is outdated regarding the Mayor's Chief of Staff and refers to it as the Administrative Assistant and there is a support staff person who is secretarial called Administrative Assistant. Councilman Klattenberg states 11-5 is making a change to deal with personnel rules to define nonbargaining and what is happening is salary and benefits included in the budgeting cycle and this resolution it would refer to the new personnel rules. Ms Milardo states it is the last phase in the Council's change on how we handle exempt employees and you have done nonbargaining director employees. This is the 466 nonbargaining and the Chief of Staff who always received the benefits of the directors and these are the positions that piggybacked Local 466. Councilman Klattenberg states the benefits, the salaries are not piggybacking 466 but linked to CPI. Ms Milardo responds no, the Personnel Review Committee states they would roll constantly with the AFSCME contract and then the Council would not have to take it up and this can be amended with a super majority of votes. Councilman Klattenberg states the chief of staff makes reference to the rules and it states it shall not be lower than the subordinate. Councilwoman Kasper states it should be removed and clarifies with the Council, during the last year, these individuals piggyback until June this year.

**Point of Information**

Councilman Serra asks a point of information and asks if you will do the same you did the directors. Will it be separate like the directors. Councilwoman Kasper responds it is piggy backing. Ms Milardo states it does for the just cause because they do not have an avenue for grievances. Councilman Serra states that is good but asks if it is a separate document or just piggy backing. Ms Milardo states the decision was they would roll constantly with their counterparts with AFSCME and the addition is the just cause provision available to them and all other benefits they have today. Councilman Serra states bottom line is they are piggy backing. Councilman Klattenberg states I thought we were getting away from piggybacking. Councilman Serra states we should do the same for these as we did for the directors. Councilwoman Kasper states we don't want to take away benefits they have. The Chair states we can discuss this when it gets to the council floor.

**Noted for the Record**

Councilman Santangelo leaves the chamber at 6:41 p.m.

Councilman Serra asks for the Finance Director. Carl Erlacher comes forward. Councilman Serra states on agenda item 11-11, the release of 10% reserve and during the Finance Committee, you said there were available funds to be transferred and is that still true. Mr. Erlacher responds he ran it that Wednesday morning and there was \$40,000 or \$50,000 available. Councilman Serra states we can transfer at this point. Mr. Erlacher replies yes. Councilman Serra states the 10% holdback, how much have we realized thus far. Mr. Erlacher replies there is about \$200,000 or \$300,000 in the hold back. Councilman Serra states it is roughly a 10<sup>th</sup> of a mill. He states we can transfer and if the department needs something, we can do an appropriation request. Mr. Erlacher states they are planning to use some of the testing funds so they might need a release. Councilman Serra states

tonight they don't need it. Mr. Erlacher replies no, but they may come back earlier.

Councilman Faulkner asks on the Army resolution, and he asks about the word "any" agreement. He states authorizing the mayor to executive and negotiate any agreement or an agreement. Mr. Warner states an agreement. Councilman Faulkner asks about the bid waiver for 11-15 for demolition of building; what is the reason. Mr. Warner responds it is a blighted eyesore on Main Street and the building behind it, the community Health Center is tearing theirs down and if we use the same contractor, there is a savings and the \$9,800 is a good price in that difficult environment.

Councilman Serra asks to address questions to Guy Russo, Water and Sewer Director. He states we are within the parameters of the Matabassett project and we have 11-4 regarding the pumping station and can you make us aware of this part of the project. Mr. Russo responds it is part of the work already done on the interceptor project and all the work done to Pratt and the State hospital including engineering was done under a CRISP grant and the original report advocating the regionalization also wanted merging with Matabassett and to keep the project going they have offered the City \$2.5 million to complete the engineering of this project and that means going right into construction when funds are available. Councilman Serra states it is a direct grant to Middletown from State or Federal government. Mr. Russo responds from the State Government and they believe in the economic development of the area with this project.

Councilman Faulkner asks for Faith Jackson, Director of Human Relations. He states the snapshots each quarter and it is a quarterly snapshot of activity and is there a status overall of the City. Ms Jackson states you get a yearend report in July or August and it combines the total hiring, reclassifications, promotions, demotions, those fired, retired, or left the City. Councilman Faulkner states that is a period of time; is there a snapshot of the workforce overall. Ms Jackson responds yes; personnel provides that information. Councilman Faulkner states do we have an opportunity to meet some of these goals with the retirements. Faith responds there is always an opportunity if there is a vacancy in the category. We don't recruit for directors. We do reach out in protective services, administrative services and maintenance workers. Councilman Faulkner states there is an internal process; do you know when those positions will show up to the public. Ms Jackson responds there is a lot of internal movement that is based on Union contracts and the City does not have an outright merit promotion system.

**Noted for the Record**

Corporation Counsel Daniel B. Ryan takes his seat at 6:52 p.m.

Ms Jackson states sometimes it may take awhile before a position is posted outside. Councilman Faulkner states he hopes they will be able to tell the public something about the openings. Ms Jackson responds the Board of Education has more flexibility; if the City has a hiring freeze, they continue to hire a diverse work force.

The Chair asks if there are any further questions for this director. Councilwoman Kleckowski asks if you keep track of investigations, outcomes and consequences. Ms Jackson responds, yes she does; internal investigations do not have anything to do with hiring. The Chair states that is a report in aggregate without names.

Councilman Klattenberg states he has questions for Director Guy Russo. Mr. Russo comes forward. Councilman Klattenberg asks you said at the Finance and Government Operations meeting that this was a grant and resolution 11-4, he never saw a State certified resolution and it is a form from them. Mr. Russo responds they are required to use these more and they have been proscribed of late. The Chair states every agency has its own forms. Councilman Klattenberg states it is referred to urban action bond and he will amend the resolution to refer to it as an urban action bond. Mr. Russo states specifics are part of the agreement that the Mayor will sign. The resolution authorizes the Mayor to sign the agreement. Councilman Klattenberg asks if he knows how far the funds will take us. Mr. Russo replies it will get us started on a pump station design; they will get DEEP money for that on July 1; they need to get the survey, borings and preliminary design done. It will get them to looking at where the main will be going; they have agreed on a general agreement on where the line will go and this will cover that.

The Chair asks if there are any further questions to any directors; seeing none he closes the questions to directors at 6:57 p.m. and asks for a motion to adjourn.

**Motion to adjourn**

Councilman Santangelo moves to adjourn and is seconded by Councilman Berch. The vote is unanimous and the Chair declares the meeting adjourned at 6:57 p.m.

**ATTEST:**

**MARIE O NORWOOD**  
Common Council Clerk